

EXPRESS MAIL NO. 092690216US

"Express Mail" mailing label number EK 092690216US

Date of Deposit 6/22/00

PATENT

U.S. Patent Application No. Not Yet Assigned

Attorney's Docket No. 97-3-802CON1

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Mary E. Anza  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
)  
Vincent A. O'BYRNE ) Group Art Unit: Not Yet Assigned  
)  
Application No.: Not Yet Assigned ) Examiner: Not Yet Assigned  
)  
Filed: Concurrently Herewith )  
)  
For: SYSTEM AND METHOD FOR )  
INCREASING CDMA CAPACITY BY )  
FREQUENCY ASSIGNMENT )

### PRELIMINARY AMENDMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to Examination on the merits, please amend the application as follows:

### IN THE CLAIMS:

*Please amend the claims as follows:*